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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,699	07/27/2000	William John Jones	A-68744/JGW	9907
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MORRISON & FOERSTER LLP 755 PAGE MILL RD PALO ALTO, CA 94304-1018			EXAMINER TODD, GREGORY G	
			ART UNIT 2157	PAPER NUMBER
DATE MAILED: 10/07/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/626,699

Applicant(s)

JONES ET AL.

Examiner

Gregory G. Todd

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This is a third office action in response to applicant's amendment and request for continued examination filed 28 July 2005 of application filed, with the above serial number, on 27 July 2000 in which claims 1-20 are cancelled and claims 21-45 have been added. Claims 21-45 are therefore pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 21-22, 28-31, 33, 35, and 41-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Fujiwara et al (hereinafter "Fujiwara", 6,064,879).

As per Claim 21, Fujiwara teaches a method of registering a computer with a wireless access network, the method comprising, at the wireless access network:

establishing an anonymous communication session between the wireless access network and the computer via wireless user equipment (at least Fig. 3; col. 4, lines 15-35; connection via temp. ID from manufacture);

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receiving, from the computer using wireless user equipment, a predetermined temporary ID and a predetermined temporary password, wherein the predetermined temporary ID and the predetermined temporary password identify the computer as an unregistered and anonymous subscriber (temporary telephone number and ID) (at least col. 3 line 60 - col. 4 line 5);

sending, to a registration server arrangement, the predetermined temporary ID and the predetermined temporary password (authenticating temporary information) (at least col. 1, lines 31-60; col. 3 line 60 - col. 4 line 5);

receiving, from the registration server arrangement, an authentication of the predetermined temporary ID and the predetermined temporary password (authenticating temporary information) (at least col. 1, lines 31-60; col. 3 line 60 - col. 4 line 5, 35-52);

establishing, in dependence on the authentication, a link between the computer and the registration server arrangement (authenticating temporary information) (at least col. 1, lines 31-60; col. 3 line 60 - col. 4 line 5);

passing, from the computer to the registration server arrangement, registration information via the link (user entering information) (at least col. 7, lines 3-53); and

passing, from the registration server arrangement to the computer, a permanent ID and a permanent password in preparation for a subsequent access of the wireless access network (at least col. 7 line 54 - col. 8 line 16; permanent).

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As per Claim 22, the method of claim 21, further comprising receiving, from the registration server arrangement, a set of protocol filters for restricting access (at least col. 4, lines 15-34; restricting access).

As per Claim 28, the method of claim 21, wherein the registration information includes a requested type of service (user entering information) (at least col. 7, lines 3-53).

As per Claim 29, the method of claim 21, wherein the registration information includes a preferred user ID (user entering information) (at least col. 7, lines 3-53).

As per Claim 30, the method of claim 21, wherein the registration information includes financial information (at least col. 7, lines 3-53; credit).

As per Claim 31, the method of claim 21, wherein the wireless access network includes the registration server arrangement (at least Fig. 3).

As per Claim 33, the method of claim 21, wherein the wireless access network includes a cellular wireless Internet access system (at least col. 3, line 60-67; Fig. 1,4).

As per Claim 39, further comprising loading, on to the computer, a registration software program for communication with the registration server arrangement (at least Fig. 3).

Claims 35, 41-43, and 45 do not add or define any additional limitations over claims 21-22, 28-31, and 33 and therefore are rejected for similar reasons.

Claim Rejections - 35 USC § 103

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23-25, 27, 32, 34, 36-38 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiwara et al (hereinafter "Fujiwara", 6,064,879) in view of Rai et al (hereinafter "Rai", 6,675,208).

As per Claim 27.

Fujiwara fails to explicitly teach a server operating in the RADIUS standard. However, the use and advantages for using such a standard is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Rai (at least Fig. 21; col. 9, lines 44-51). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of RADIUS into Fujiwara's system as this would clearly enhance Fujiwara's system because RADIUS is a defined IETF standard for authentication and registration purposes and thus would allow Fujiwara's system to operate under the standard.

As per Claim 34.

Fujiwara fails to explicitly teach the wireless access network includes a Universal Mobile Telecommunications System (UMTS) network. However, the use and advantages for using such a system is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Rai (cdma) (at least col. 5, lines 1-30). Therefore, it would have been obvious to one of ordinary skill in the art at

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the time the invention was made to incorporate the use of UTMS/CDMA into Fujiwara's system as this is a very well known cellular technology that Fujiwara's mobile unit could benefit for operating on.

As per Claims 23-25, 32, 36-38 and 44. Fujiwara fails to teach further comprising passing, from the registration server arrangement to the computer, a list of allowable Internet Service Providers (ISPs), a registration web page, registration software, and the link including a point-to-point protocol link. However, the use and advantages for using such registration information is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Rai (at least col. 5, lines 46-55; col. 8, lines 10-30; col. 43, lines 5-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of Rai's registration methods into Fujiwara's system as this would further enhance Fujiwara's system to offer more functionality and ease of use in setting up such registration of the computer and as these are well known variations in the art for registering subscribers.

6. Claims 26 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiwara et al (hereinafter "Fujiwara", 6,064,879) in view of Rollender (hereinafter "Rollender", 6,192,242).

Fujiwara fails to explicitly teach the registration information includes a selected service provider. However, the use and advantages for using such a service is well known to one skilled in the art at the time the invention was made as evidenced by the

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teachings of Rollender (at least col. 1, lines 14-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of Rollender's service provider choosing into Fujiwara's system as this would allow the user to use the pre-registered mobile unit with any service provider upon initial connection and not be limited to any one specific service provider.

Response to Arguments

7. Applicant's previous arguments filed 28 July 2005 have been fully considered but they are not persuasive. Examiner reasserts previous response in anticipation of supplemental arguments in Applicant's next response.

Applicants argue Fujiwara does not teach an anonymous access system wherein a computer is connected to wireless user equipment, thus allowing Internet access and the registration program to control the user equipment.

In response, Fujiwara's system is anonymous as the user who purchases the wireless equipment is given a temporary telephone number and ID that is temporarily stored on the phone itself at the time of manufacture (see col. 3 line 60 - col. 4 line 35), thus Fujiwara teaches a system and method of first registering a user in a wireless access network via an established anonymous session between the user and the network as the temporary ID and password given to the wireless equipment is not based on who the user is, but rather, given to the equipment at time of manufacture.

Fujiwara further teaches the mobile unit being connected to a ROM writer (computer / PC) at the time of manufacture and registration so that only the temporary

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DN and ID are given to the unit and communicating over a public network (at least Fig. 2; col. 3 line 60 - col. 4 line 35).

Examiner further provides art using anonymous communication as depicted in Grube et al, Vilander et al, and Dailey.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Newly cited Grube et al, Dailey, Holmes, Vilander et al, Larkins, Tiedemann, in addition to previously cited Freitag et al, Chatterjee et al, Jones et al, and Ronneke are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G. Todd whose telephone number is (571)272-4011. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory Todd

Patent Examiner

Technology Center 2100




A. salad
Primary Examiner